

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 1 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO  
1 to 5 No

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BHARATKUMAR L GAJIWALA

Versus

SURAT MUNICIPAL CORPORATION  
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Appearance:

MS KJ BRAHMBHATT for MS VASUBEN P SHAH for Petitioner  
MR PRASHANT G DESAI for Respondent No. 1  
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CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 04/07/2000

ORAL JUDGEMENT

Heard the learned counsel for the parties. There is a consensus that the legal issues involved in this appeal require leading and examination of evidence and the original Civil Suit having been filed in 1987, it is

ripe for hearing and final disposal in the trial Court. The paper-book which was ordered to be supplied is not placed on record by the appellant and, therefore, the paper-book was dispensed with in this matter. The learned counsel appearing for the appellant submits that the appellant would not have any objection to expeditious hearing and disposal of the original Civil Suit if the interim relief obtained in the order made in Civil Application No.10 of 1992 in this appeal is continued for a further period during which the original suit is heard and decided. Therefore, without entering into the merits of the appeal, it is ordered that the original Special Civil Suit No.17 of 1987 pending before the Civil Court at Surat shall be heard and disposed as expeditiously as possible and preferably within three months from today as the parties undertake not to seek any unnecessary adjournments. In the meantime, the injunction granted by this Court shall continue to operate till the final disposal of the original Civil Suit. The appeal, accordingly, stands disposed with no order as to costs.

Sd/-

(KMG Thilake)

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